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Vista, January 6, 2011

Commissioner for Patents  
United States Patent and Trademark Office  
Box 1450  
Alexandria, VA 22313-1450

### **REQUEST FOR RECONSIDERATION**

Re: Application of Joseph H. Martin  
Application Number: 10/726,223  
Filed: December 1, 2003

At all times my goal has been to obtain a patent for the Application Number cited above.

It seems wasteful to write an unnecessarily long and tedious brief (the facts in this matter have been extensively documented), therefore, I submit the following summary of my arguments in support of my Request for Reconsideration:

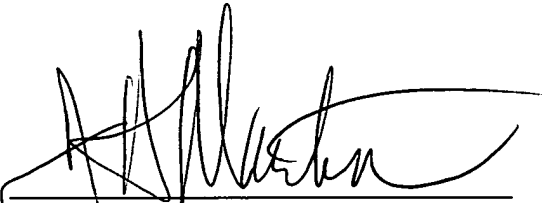
- a. All delays in the processing of my application were unavoidable by me. The record is replete with documentation detailing my extensive efforts to get my patent "agent" (not attorney at law) to respond to my requests for information. ALL failures herein were made by Mr. Meeker, a patent agent registered by the USPTO, not simply some independent attorney that I hired;
- b. I picked Mr. Meeker to handle this matter and act on my behalf, with power of attorney, based upon my belief that as a registered USPTO agent since 1978, he would perform his duties in a professional manner. What is the purpose of having registered agents if the Agency that endorses these individuals (USPTO) assumes NO responsibility for their agents performance? Did I freely chose Mr. Meeker? No. He was selected from a list of agents registered with the USPTO. Simply by having "registered agents" the USPTO infers to the public at large that that these individuals possess the expertise needed to process our patent applications in accordance with the Agency's rules.

c. I have already spent and lost a considerable amount of money attempting to get my application processed, not including money lost because we cannot bring our product to market.

The public expects our governmental agencies to conduct their business in a prudent and reasonable manner. To arbitrarily use arcane rules that don't benefit anyone in this particular matter is wasteful. Dismissal of my petition under the present circumstances doesn't serve anyone's interests.

Based upon the foregoing points, I respectfully request that the Commissioner grant my Request for Reconsideration and proceed forward with this application.

Sincerely,



Joseph H. Martin, Applicant  
Application Number: 10/726,223